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NOVEMBER 14, 2013](#)



LEROY D. BACA, SHERIFF

**County of Los Angeles**  
**Sheriff's Department Headquarters**  
4700 Ramona Boulevard  
Monterey Park, California 91754-2169



September 24, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

**REPORT BACK ON THE IMPLEMENTATION PLAN TO TRANSFER INMATES TO  
FIRE CAMPS AND THE TAFT COMMUNITY CORRECTIONAL FACILITY AND THE  
IMPACT ON M-7 INMATES (BOARD AGENDA 9/17/2013, ITEM S3)**

During the September 17, 2013, Board meeting, the Sheriff was requested to report back on an implementation plan that will transfer inmates to fire camps and the Taft Community Correctional Facility (CCF) with the objective of increasing the percentage of time served by the M-7 inmate population. The Board also requested information on the availability of other CCFs to contract with Los Angeles County (County).

**FIRE CAMP AND TAFT CCF INMATE TRANSFER IMPACT ON M-7 POPULATION**

On September 17, 2013, the Board approved an agreement with the California Department of Corrections and Rehabilitation (CDCR) to provide security and housing for up to 528 County inmates within the County's fire camps. A separate Board letter has been submitted requesting approval of an agreement with the city of Taft to provide security and housing for a maximum of 512 inmates within their CCF. Initiation of the fire camp transfers and approval of the Taft agreement is contingent upon the Board's review of this implementation plan.

Attachment 1 reflects the estimated fire camp and Taft CCF inmate transfer timetable and the impact it will have on increasing the percentage of time served by M-7 inmates.

*A Tradition of Service*

**COMMUNITY CORRECTIONAL FACILITIES STATUS**

In conjunction with the Chief Executive Office (CEO), the Los Angeles County Sheriff's Department (Department) contacted several CCFs and inquired on their current availability to contract with the County. The CCFs contacted were those the Department was in dialogue with in 2012, including the cities of Taft, Shafter, Delano and Coalinga. Each of these cities had previously been under contract with the CDCR. Additionally, the Department was recently contacted by the Lassen County Sheriff's Department, who solicited the availability of beds for contract.

Listed below is a current status for each of the aforementioned entities, in contracting preference order:

**City of Taft:** The city of Taft has been in formal negotiations with CDCR for the past few months. In August of 2012, the Taft City Council had signed an agreement for services with the County; however, the Department asked the item be removed from the Board's agenda at that time and the agreement was not executed.

As requested by the Board, the CEO and County Counsel have reviewed the agreement and made updates to the standard contracting provisions and clarification of the pricing schedule. There is no change to the original financial terms of the agreement. Taft has provided tentative approval of the County's ministerial changes. It is anticipated the amended contract could be signed by city officials shortly after the Board's approval. The first 250 inmates can be delivered to the Taft CCF 45 days following the County's formal agreement of the terms. The balance of inmates (approximately 262) would be delivered after an additional 30 days.

**City of Coalinga:** The city of Coalinga is currently working with a private contractor to operate its CCF. In August 2012, the Department had begun informal negotiations with the city of Coalinga, but those discussions were curtailed in August 2012.

**City of Shafter:** The city of Shafter is currently in formal negotiations with CDCR. The Department had been involved in formal negotiations with the city of Shafter when talks terminated in August 2012. The terms of this contract would have required the Department to pay for medical services above and beyond what was going to be provided under the contract with the city of Taft. At the termination of negotiations, the city of Shafter and the Department were attempting to identify a remedy that would have reduced the daily rate and been in line with the Taft agreement.

**City of Delano:** The city of Delano facility is available and city officials do not appear to be in negotiation with any other agencies at this time. The Department had initiated informal negotiations with the city of Delano, however physical plant improvements and

repairs were needed in order to enter into a formal agreement. The table below are the public and private CCF's in operation statewide.

FACILITY	PUBLIC / PRIVATE	# OF BEDS	STATUS	ANNUAL COST
TAFT	PUBLIC	512	LASD CONTRACT PENDING	\$6,578,460*
SHAFTER	PUBLIC	512	CDCR NEGOTIATIONS	N/A
COALINGA	PUBLIC **	570	AVAILABLE	N/A
DELANO	PUBLIC	570	AVAILABLE	N/A
DESERT VIEW	PRIVATE	500	CDCR CONTRACT	N/A
CENTRAL VALLEY	PRIVATE	625	CDCR CONTRACT	N/A
LEO CHESNEY	PRIVATE	305	CDCR NEGOTIATIONS	N/A
CAI - BOSTON	PRIVATE	120	FEDERAL CONTRACT	N/A
CAI - 35 <sup>TH</sup> ST.	PRIVATE	483	FEDERAL CONTRACT	N/A
CAL CITY	PRIVATE	2,304	FEDERAL CONTRACT	N/A
ADELANTO	PRIVATE	1,300	FEDERAL CONTRACT	N/A
WESTERN REG.	PRIVATE	700	FEDERAL CONTRACT	N/A

\* FY 13-14, assumes December 1<sup>st</sup>, 2013 start; includes \$475,800 start-up costs

\*\* At the time of informal negotiations, the city intended to operate the facility. It is believed they are now seeking a private entity operate the facility for the city

Should you have any questions, please contact Assistant Sheriff Terri McDonald at (213) 893-5001.

Sincerely,



LERROY D. BACA  
SHERIFF



## Los Angeles County Sheriff's Department

### Increase of M7 Sentence Percentages With Transfer of N3 Inmates to Taft and Fire Camps

Movement Dates	Fire Camp	Taft *	Monthly Total	Cumulative Grand Total	M7 ****	ADIP Increase with M7 changes	Prison/Probation Revocation - 100% (non M7) - 20% M7) - 10%	Males Females (non-	Notes
October-13	0	0	0	0	480 - 40%		320 - 100% 360 - 20% 70 - 10% 320 - 100% 360 - 20% 70 - 10%		Based on current sentence population and transfer of N3 inmates to begin December 2013
November-13	0	0	0	0	480 - 40%				Based on current sentence population and transfer of N3 inmates to begin December 2013
December-13	80	250	330	330	100 - 100% 380 - 40%	ADIP + 320			M7 inmates sentenced on Sex Crimes, Gang Injunction, Terrorist Threats, Robbery, Stalking, or Violation of Court Order to serve 100%. All other M7s serve 40%.
January-14	0	262	262	592	270 - 100% 210 - 55%	ADIP + 560			M7 inmates sentenced on Sex Crimes, Gang Injunctions, Terrorist Threats, Robbery, Stalking, Violation Court Order, or Assault with a Deadly Weapon serve 100%. All other M7s serve 55%.
February-14	80	0	80	672	270 - 100% 210 - 60%	ADIP + 630			M7 inmates sentenced on Sex Crimes, Gang Injunctions, Terrorist Threats, Robbery, Stalking, Violation Court Order, or Assault with a Deadly Weapon serve 100%. All other M7s serve 60%.
March-14	0	0	0	672	270 - 100% 210 - 60%	ADIP + 630			M7 percentages will stay the same as prior month, but may be increased based on the inmate population at time of review.
April-14	80	0	80	752	290 - 100% 210 - 70%	ADIP + 710			M7 inmates sentenced on Sex Crimes, Gang Injunctions, Battery on Peace Officer, Terrorist Threats, Violation Court Order, Assault with a Deadly Weapon to serve 100%. All other M7s serve 70%.
May-14	0	0	0	752	—	ADIP + 710			M7 percentages will stay the same as prior month, but may be increased based on the inmate population at time of review.
June-14	80	0	80	832	320 - 100% 160 - 75%	ADIP + 820			M7 inmates sentenced on Sex Crimes, Gang Injunctions, Battery on Peace Officer, Assault and Battery, Terrorist Threats, Violation Court Order, Assault with a Deadly Weapon to serve 100%. All other M7s serve 75%.
July-14	0	0	0	832	—	ADIP + 820			M7 percentages will stay the same as prior month, but may be increased based on the inmate population at time of review.
August-14	80	0	80	912	320 - 100% 160 - 80%	ADIP + 900			Spousal Assault serve 80%
September-14	0	0	0	912	—	ADIP + 900			M7 percentages will stay the same as prior month, but may be increased based on the inmate population at time of review.
October-14	80	0	80	992	320 - 100% 160 - 85%	ADIP + 980			Spousal Assault serve 85%
November-14	20	0	20	1012					
Total N3 Inmates Transferred	500	512	1012	1012					

Minimum length of time to be served in Taft will be one year  
 Assumes population is stable  
 Assumes M7 percentages remains stable  
 As ADIP decrease, percentage for most severe charges increases



**WILLIAM T FUJIOKA**  
Chief Executive Officer

## County of Los Angeles **CHIEF EXECUTIVE OFFICE**

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November 14, 2013

To: Supervisor Mark Ridley-Thomas, Chairman  
Supervisor Gloria Molina  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

### **COMMUNITY CORRECTIONAL FACILITY CONTRACTING AVAILABILITY (ITEM NO. S-3, AGENDA OF SEPTEMBER 17, 2013)**

On September 17, 2013, the Board requested a report on the availability of public community correctional facilities (CCFs) to contract with the County of Los Angeles (County). The purpose of the CCF contract(s) would be to transfer long-term sentenced non-serious, non-violent, non-sexual inmates (N3) to a CCF which will make local jail bed capacity available to increase the percentage of time served by the M-7 inmate population.

Based on our survey of the four CCFs with available jail beds, the City of Shafter is close to executing a contract the California Department of Corrections & Rehabilitation (CDCR), and the City of Taft is in active negotiations with the CDCR. The cities of Coalinga and Delano are having informal discussions with the CDCR, but have indicated interest in a potential contract with the County.

#### **Background**

The Public Safety Realignment Act of 2011 (AB109) transferred custody responsibility for sentenced N3s from the State prisons to local county jails. Should county jail population easing be necessitated, AB109 authorizes counties to contract and transfer N3s to public CCFs; however, counties are not permitted to contract with a private CCF. Since AB109 implementation in October 2011, the County's average daily jail population has grown from 15,400 to 19,000 inmates, including 6,250 N3s.

*"To Enrich Lives Through Effective And Caring Service"*

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There are 16 CCFs within California that have bed capacity for over 100 inmates, comprised of five publicly operated CCFs with the remainder privately operated, see Attachment I. The Sheriff engaged four public CCFs located in the California Central Valley, including Coalinga, Delano, Shafter, and Taft. The Sheriff did not consider the fifth public CCF, located in Susanville in Northern California, because of its significant distance. The public CCF jail bed availability is the consequence of CDCR's termination of their contracts upon implementation of AB109 which was anticipated to reduce the State prison population and make the CCF jail beds unnecessary. However, the CDCR has been unable to reduce its prison population to the federal three judge panel's mandate of 137.5 percent of capacity. Therefore, during the past few weeks the CDCR has actively pursued restoring the four CCF back into the State prison system.

### CCF Overview

The CCFs are governed by their respective city council, the city manager is the contract administrator, the police chief has operations responsibility, and the CCF staff are city employees. During our survey, each city indicated they would require a 60 to 90-day startup period to hire and train staff; otherwise, they stated their respective CCFs are move-in ready. Should we proceed with contract negotiations, the Sheriff would need to validate their staffing plan, the move-in readiness of each CCF, and whether additional capital improvements are needed.

The following table summarizes our CCF survey:

Community Correctional Facility	No. Beds	Daily Bed Rate	Contract Term	Staffing	Capital Project Debt Service	Other Costs	Current Litigation
Coalinga	514	\$63	5 years (10 years preferred)	81 sworn 16 civilian	None	Start-up costs and early termination penalty	None
Delano	410	\$65 + 2% CPI	3 years + two 1-year extensions	52 sworn 10 civilian	None	\$2M in CDCR requested upgrades	None
Shafter	560	\$60	5 years	63 sworn 20 civilian	None	None	None
Taft	512	\$60.55	5 years	43 sworn 9 civilian	\$6M (cost in daily rate)	\$1M Unemployment reserve (cost in daily rate)	CDCR

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The City of Coalinga has expressed interest in a potential contract with the County. Although Coalinga is having informal discussions with the CDCR, the city indicated the CDCR does not have contracting priority. Therefore, the CDCR would not be able to preclude a CCF contract between Coalinga and the County; notwithstanding, County Counsel will need to confirm this presumption should we engage in negotiations. The quoted daily bed rate is \$63 plus start-up costs and early termination penalties (not quantified). The minimum term is 5 years, but the start-up costs and termination penalties could be waived under a 10 year contract. Education based incarceration/vocational programs are available through a collaboration with a local community college which may result in additional costs. Basic medical and dental services are included in the daily bed rate.

The City of Delano expressed interest in a potential contract with the County; however, they too are having informal discussions with the CDCR. Delano has also indicated the CDCR does not have contracting priority. The quoted daily bed rate is \$65 plus a 2 percent annual cost of living increase. The minimum term is 3 years with two 1-year extensions. Education based incarceration/vocational programming and basic medical/dental services are included in the daily bed rate. During their discussions, the CDCR has requested Delano make \$2 million in facility upgrades prior to the transfer of inmates.

The City of Shafter is waiting to execute the final contract documents with the CDCR. The quoted daily bed rate is \$60 with a minimum term of 5 years. Education based incarceration/vocational programming and basic medical/dental services are included in the daily bed rate.

The Board opted not to pursue a contract with Taft. Taft is now in active negotiations with the CDCR.

If you have any questions, please feel free to contact Georgia Mattera, Public Safety, at (213) 893-2374.

WTF:GAM:SW  
DT:cc

Attachment

c: Executive Office, Board of Supervisors  
County Counsel  
Sheriff

## ATTACHMENT I

**CALIFORNIA COMMUNITY CORRECTIONAL FACILITIES  
AB109 CONTRACTING AVAILABILITY**

<b>FACILITY</b>	<b>PUBLIC / PRIVATE</b>	<b># OF BEDS</b>	<b>CONTRACT AVAILABILITY</b>
<b>COALINGA</b>	<b>PUBLIC</b>	<b>514</b>	<b>AVAILABLE/ CDCR NEGOTIATIONS</b>
<b>DELANO</b>	<b>PUBLIC</b>	<b>410</b>	<b>AVAILABLE/ CDCR NEGOTIATIONS</b>
<b>SUSANVILLE</b>	<b>PUBLIC</b>	<b>155</b>	<b>AVAILABLE (DISTANT)</b>
<b>SHAFTER</b>	<b>PUBLIC</b>	<b>560</b>	<b>PENDING CDCR CONTRACT EXECUTION</b>
<b>TAFT</b>	<b>PUBLIC</b>	<b>512</b>	<b>AVAILABLE/ CDCR NEGOTIATIONS</b>
<b>ADELANTO</b>	<b>PRIVATE</b>	<b>1,300</b>	<b>Not Permitted</b>
<b>CAI – BOSTON</b>	<b>PRIVATE</b>	<b>120</b>	<b>Not Permitted</b>
<b>CAI – 35<sup>TH</sup> ST.</b>	<b>PRIVATE</b>	<b>483</b>	<b>Not Permitted</b>
<b>CAL CITY</b>	<b>PRIVATE</b>	<b>2,304</b>	<b>Not Permitted</b>
<b>CENTRAL VALLEY</b>	<b>PRIVATE</b>	<b>625</b>	<b>Not Permitted</b>
<b>DESERT VIEW</b>	<b>PRIVATE</b>	<b>500</b>	<b>Not Permitted</b>
<b>GOLDEN STATE</b>	<b>PRIVATE</b>	<b>600</b>	<b>Not Permitted</b>
<b>LEO CHESNEY</b>	<b>PRIVATE</b>	<b>305</b>	<b>Not Permitted</b>
<b>MCFARLAND</b>	<b>PRIVATE</b>	<b>250</b>	<b>Not Permitted</b>
<b>MESA VERDE</b>	<b>PRIVATE</b>	<b>400</b>	<b>Not Permitted</b>
<b>WESTERN REG.</b>	<b>PRIVATE</b>	<b>700</b>	<b>Not Permitted</b>